

this Act, and gave such an interpretation to it as placed all suitors, foreign and domestic, upon the same footing. The unlimited latitude granted to persons beyond seas was considered by the legislature as unreasonable, and it could constitute no actual grievance or just cause of complaint, if they were reduced to the same standard as our own citizens. Placing such a construction upon the Act, it was clearly neither a violation of any constitutional obligations of the State, for no obligation of contract was at all violated or impaired, nor was it an infringement of any principle of natural justice as affecting the foreign creditor, for the same law governed his contract which operated on all other contracts, and see *Murdock v. Winter*, 1 H. & G. 474. The Code, Art. 57, makes no provision for the case of persons beyond seas, but the Article does not affect the classes of actions to which the first section of the Stat. of James applies. As to them, therefore, it may be concluded, that the rights of persons beyond seas are still saved by that Statute.⁵⁵

The meaning of the term *beyond seas*⁵⁶ was early settled to mean without the limits or jurisdiction of the Province; and so in *Brent's lessee v. Tasker*, 1 H. & McH. 89, the colony of Virginia was held to be beyond seas. After the adoption of the Constitution, the question arose again and was discussed at large in *Pancoast's lessee v. Addison*, 1 H. & J. 350. The tract in question there was granted in Oct. 1687 to one Pencott, who died in Maryland, seised of the land and intestate, before the year 1734. His heir-at-law then lived in New Jersey, and the latter and his heirs continually resided there without coming into Maryland in the intermediate time between the death of the first Pencott and the time when the lessor of the plaintiff, the heir-at-law of the first, came into the State, which was within six years before the institution of the suit, the demise being laid in 1798. The father of the lessor of the plaintiff died in 1759. It appeared that the lands had been treated as **escheated*, and in 1734 were patented 463 to A., who sold to B., &c., and the occupiers had all the time paid the quit-rents and taxes upon it. The defendant located actual enclosures made in 1772 and continued up to the time of the trial. The Court said that the words "beyond the four seas," "beyond seas," and "out of the realm," signified the same thing, and meant out of the limits of the realm

⁵⁵ This is no longer so. The Act of 1894, ch. 661, provides: "The period within which any suit or action may be brought under any statute of limitations in force in this State shall not be extended because the plaintiff in such suit or action was, is or shall be a *feme covert*, imprisoned, or beyond the seas, or out of the jurisdiction of this State at the time of the accrual of the right, title or cause of action." Code 1911, Art. 57, sec. 7. In *Baumeister v. Silver*, 98 Md. 418, it was held that the right of a non-resident under the Statute of James to bring suit within ten years after coming into the state was a vested right which could not be taken away without allowing him some reasonable time within which he could sue; and that the act should therefore be construed so as to allow him ten years after its passage within which to bring action. See also *Safe Dep. Co. v. Marburg*, 110 Md. 415.

⁵⁶ *Maurice v. Worden*, 52 Md. 283; *Mason v. Union Co.*, 81 Md. 452.